

## **REMARKS**

By this amendment, claims 1-7 have been cancelled, and claims 8-13 have been added. Thus, claims 8-13 are now active in the application. Reexamination and reconsideration of the application are respectfully requested.

The specification and Abstract have been carefully reviewed and revised to correct grammatical and idiomatic errors in order to aid the Examiner in further consideration of the application. The amendments to the specification and Abstract are incorporated in the attached substitute specification and Abstract. No new matter has been added.

Attached hereto is a marked-up version of the changes made to the specification and Abstract by the current amendment. The attachment is captioned "**Version with markings to show changes made.**"

In item 2 on page 2 of the Office Action, the drawings were objected to for failing to show plural fall-off prevention pawls, as claimed in original claim 3. This objection is believed moot in view of the cancellation of claim 3. Furthermore, the new claims do not include a claim directed to plural fall-off prevention pawls, but rather include a claim (claim 9) reciting only "a fall-off prevention pawl."

In items 3 and 4 on pages 3 and 4 of the Office Action, claims 1, 2 and 4-7 were rejected under 35 U.S.C. 102(a) as being anticipated by Marsilio et al. (U.S. 2002/0170838); and claim 3 was rejected under 35 U.S.C. 103(a) as being unpatentable over Marsilio et al. in view of Flores, Jr. et al. (U.S. 2003/0015443). These rejections are believed moot in view of the cancellation of claims 1-7. Furthermore, it is respectfully submitted that these rejections are clearly inapplicable to new claims 8-13, for the following reasons.

With exemplary reference to the drawing figures, claim 8 sets forth a cover case for accommodating a disk-like recording medium 12, the cover case comprising: a main body 1 having a base surface 4, a receiving table 5 protruding from the base surface 4, and an outer peripheral edge 6 protruding from the base surface 4 and extending about the receiving table 5; and a cover 2 connected to the main body 1 by a connection portion 3; wherein the receiving table 5 has a support surface 13 arranged to support a center portion of the disk-like recording medium 12; wherein a pair of slit grooves 9 are formed at a center of the support surface 13 of

the receiving table 5, the slit grooves 9 being spaced apart from each other; wherein the pair of slit grooves 9 define therebetween a pair of deflectable arms 8a, 8b having distal ends (inner ends in Figs. 2(a), 2(b), 3(a) and 3(b)) disposed adjacent each other across a gap (e.g. see Figs. 2(a), 2(b), 3(a) and 3(b)) at a center of the support surface 13 of the receiving table 5, and base ends (outer ends in the figures) opposite each other; wherein the base ends of the arms 8a, 8b are disposed between respective ends of the slit grooves 9, and the distal ends of the arms 8a, 8b are disposed between respective central portions of the slit grooves 9; wherein engagement protuberances 10a, 10b are provided at respective distal ends of the arms 8a, 8b and protrude therefrom, each of the engagement protuberances 10a, 10b having a substantially semi-circular shape, and the engagement protuberances 10a, 10b together constitute an engagement member arranged to engage in a center hole of the disk-like recording medium 12 (see Figs. 2(b), 3(a) and 3(b)); wherein together the engagement protuberances 10a 10b form, across the gap between the distal ends of the arms 8a, 8b, a substantially circular shape to be received in the center hole of the disk-like recording medium 12; wherein a flexible resin (e.g. see Figs. 2(b), 3(a) and 3(b), as well as lines 5-7 of page 7 of the original specification) connects between the engagement protuberances 10a, 10b across the gap, so as to allow the engagement member to undergo shrinkage; and wherein at least one notch 7 is formed in the outer peripheral edge 6.

Although, as the Examiner pointed out, the Marsilio reference discloses a disk case 10 with a main body 12, a cover 14, a connection portion 16, a receiving table 70, slit grooves 80, engagement protuberances 62 and an outer peripheral edge 42 with notches 50, the Marsilio et al. reference clearly does not disclose or suggest the provision of a pair of deflectable arms defined between the slit grooves, wherein base ends of the arms are disposed between respective ends of the grooves, and distal ends of the arms are disposed adjacent to one another and between respective central portions of the slit grooves. Further, Marsilio et al. does not disclose or suggest the type of engagement protuberances required by claim 8 wherein each of the engagement protuberances have a substantially semi-circular shape, and they together constitute a substantially circular engagement member arranged to engage in a center hole of the disk-like recording medium. In addition, Marsilio et al. does not disclose or suggest the gap between the distal ends of the arms, and thus between the engagement protuberances, and wherein a flexible

resin connects between the engagement protuberances across the gap, so as to allow the engagement member to undergo shrinkage.

The Examiner cited the Flores, Jr. et al. reference for disclosing "fall-off prevention pawls 30 used to secure the disk in the storage area." However, Flores et al. provides no teaching or suggestion that would have obviated the above-discussed shortcomings of the Marsilio et al. reference.

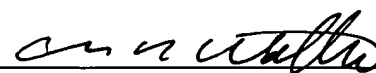
Accordingly, because of the above clearly distinctions between the present invention of claim 8 and the references of record, it is believed apparent that claim 8 is not anticipated by the Marsilio et al. reference. Furthermore, it is submitted that the differences are such that a person having ordinary skill in the art would clearly not have been motivated to modify Marsilio et al. in view of Flores et al. or in such a manner as to result in or otherwise render obvious the present invention as recited in claim 8. Therefore, it is respectfully submitted that claim 8, as well as claims 9-13 which depend therefrom, are clearly allowable over the prior art of record.

In view of the foregoing amendments and remarks, it is respectfully submitted that the present application is clearly in condition for allowance. An early notice thereof is earnestly solicited.

If, after reviewing this Amendment, the Examiner feels there are any issues remaining which must be resolved before the application can be passed to issue, it is respectfully requested that the Examiner contact the undersigned by telephone in order to resolve such issues.

Respectfully submitted,

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